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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 030307/0201

Applicant: Svent Erik Borgesen

Title: A VENTRICLE DRAIN

Appl. No.: 09/911,833

Filed: July 25, 2001

Examiner: Unknown

Art Unit: 3763

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM UNDER
35 U.S.C. §119(E) FOR BENEFIT OF PRIOR FILED PROVISIONAL APPLICATION(S)**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions the Patent Office to accept applicant's unintentionally delayed claim under 35 U.S.C. §119(e) for benefit both of U.S. Provisional Application No. 60/220,784, filed July 25, 2000 and of U.S. Provisional Application No. 60/251,007, filed December 5, 2000. Although applicant listed both provisional applications on the unexecuted Declaration filed with the application, applicant did not include a reference to each provisional application in the specification of the application. Applicant has filed a Preliminary Amendment with this Petition to amend the specification to contain such reference in the first sentence following the title.

This Petition includes the surcharge and statement required by 37 C.F.R. §1.78(a)(6)(i),(ii), as indicated below.

SURCHARGE

Applicant has attached the surcharge of \$1,280.00 set forth in 37 C.F.R. §1.17(t).

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STATEMENT

The entire delay between the date the claim for benefit was due under 37 C.F.R. §1.78(a)(5) and the date the claim was filed was unintentional.

Applicant believes that the requirements of 37 C.F.R. §1.78(a)(6) are met and respectfully urges the Commissioner to grant this petition. If there are any questions regarding this submission, the Patent Office is invited to contact the undersigned attorney of record at the telephone number set forth below.

3 January 2002
Date

Respectfully submitted,

Stephen A. Bent
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SHOULD ADDITIONAL FEES BE NECESSARY IN CONNECTION WITH THE FILING OF THIS PAPER, OR IF A PETITION FOR EXTENSION OF TIME IS REQUIRED FOR TIMELY ACCEPTANCE OF SAME, THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE DEPOSIT ACCOUNT NO. 19-0741 FOR ANY SUCH FEES; AND APPLICANT(S) HEREBY PETITION FOR ANY NEEDED EXTENSION OF TIME.